IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 12TH FEBRUARY 2007 / 23RD MAGHA 1928

Bail Appl..No. 804 of 2007()

CRIME NO. 18/07 OF ERUMAPETTY POLICE STATION

APPLICANT/ACCUSED:

WILSON, S/O.GEORGE,
CHOWALLUR HOUSE, THEKKE ANGADI DESOM,
KUNNAKULAM VILLAGE, THRISSUR DISTRICT.

BY ADV. SRI.P.VIJAYA BHANU
SRI.PRASUN.S

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, REPRESENTING THE S.I.OF POLICE,
ERUMMAPETTY POLICE STATION.

BY PUBLIC PROSECUTOR SRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/02/2007, ALONG WITH B.A. 818/07 THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application Nos.804
& 818 of 2007

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DATED: 12-02-2007

O R D E R

Petitioners who are accused Nos. 4 and 3 respectively in Crime No. 18 of 2007 of Erumapetty Police Station for an offence punishable under Sec. 376 (2) (g) read with Sec. 5(a) (b) of Immoral Traffic Prevention Act, 1956, seek their enlargement on bail.

2. The learned Public Prosecutor opposed the application.

3. The case of the prosecution is that on 5-1-2007 at about 10 a.m. the first accused in the case enticed the 19 year old victim promising to marry her and committed rape on her and on 11-1-2007 he again took the girl to a lodge by name K.K.M. City Centre Lodge on the same promise and had sexual intercourse with her and had thereafter allowed accused Nos. 2 to 5 also to ravish her. The petitioners were arrested on 18-1-1007 and ever since then they have been in judicial custody. Having regard to the nature of the offence, duration of judicial custody and the stage of the investigation, I am inclined to grant bail to the petitioners but only with effect from a future date. Accordingly, the petitioners are directed to be released on bail with effect from 26-2-2007 on each of

them executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Vadakkancherry and subject to the following conditions:

1. The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioners shall make themselves available for interrogation as and when required by the police till the filing of the final report.

3. The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

4. The petitioners shall not commit any offence while on bail.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

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